IN THE SENATE OF THE UNITED STATES.

APRIL 6, 1880.—Ordered to be printed.

Mr. Hill, of Georgia, from the Committee on Foreign Relations, submitted the following

REPORT:

[To accompany bill H. R. 270.]

The Committee on Foreign Relations, to whom was referred the bill (H. R. 270) for the relief of Charles Dougherty, beg leave to report as follows:

Charles Dougherty, a resident of the State of Pennsylvania, was duly appointed consul to Londonderry, Ireland, and received his commission from the State Department, signed by William H. Seward, Secretary of State, on the 17th day of November, 1866. Having filed the necessary bond, which was duly approved, he received the necessary instructions as to his duty as consul, passport, and all the necessary papers pertaining to the office. On the 12th of December following, he sailed with his family from the port of New York, and in due time reached Londonderry. On the 23d of November, 1866, the Department of State notified the legation at London, requesting an exequatur to be issued for him. After his arrival at Londonderry, and before the exequatur was issued, the Senate rejected the nomination of the said Dougherty.

All the foregoing facts appear from official papers of the State Department. There is no salary attached to the consulate at Londonderry—the only pay of the consul are the fees incident to the appointment. So Mr. Dougherty was informed by the Secretary of State.

He claims allowance for his expenses in going to and returning from

Londonderry, loss of time, &c.

There being no default on the part of Mr. Dougherty, the committee are inclined to allow him \$1,000. He was duly appointed and commissioned to the office of consul to Londonderry, and he was ordered by the government to enter upon the discharge of the duties pertaining to it. He was appointed during the recess of the Senate, and being ordered upon duty, how was he to anticipate its action? Had the appointment been made while Congress was in session, it would have presented a different case. It would then have been the part of a prudent man to have asked permission of the Secretary of State to await the action of the Senate; but the appointment being made in vacation, and he ordered to enter upon the duties of his office, it would seem to be unjust that he should incur the expense in going to his post, and, because he was rejected on the meeting of Congress, to be without remedy or redress.

Under this view of the case, it is recommended that the bill be reported to the Senate with a request that it pass.